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**FACSIMILE COVER SHEET**

Deliver to: Du, Thuan N., USPTO Art Group: 2116  
 Facsimile No.: 571 273 8300 Date: July 21, 2005  
 From: Brent E. Vecchia, Reg. No. 48,011  
 Our Docket No.: 42390P12320 Number of pages 12 including this sheet.  
 Application No.: 09/967,032 Filing Date: 9/28/2001  
 Docket Due Date(s): \_\_\_\_\_

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Preliminary</u> ( <u>8</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( _____ pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ ( _____ pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet ( _____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of Facsimile _____	<input type="checkbox"/> Reply Brief ( _____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( _____ pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: _____ sheets, _____ figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion ( _____ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( _____ pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Transmittal Letter

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Krista Mathieson  
Krista Mathieson7/21/2005

Date

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/967,032
		Filing Date	September 28, 2001
		First Named Inventor	Monte J. Rhoads
		Art Unit	2116
		Examiner Name	Du, Thuan N.
Total Number of Pages in This Submission	11	Attorney Docket Number	42390P12320

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Certificate of Facsimile</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brent E. Vecchia, Reg. No. 48,011 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Brent E. Vecchia</i>
Date	7-27-05

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Typed or printed name	Krista Mathieson	Date
Signature	<i>Krista Mathieson</i>	<i>July 21, 2005</i>

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 08/04/2004.  
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# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ ) 0.00

Complete if Known

Application Number 09/967,032  
Filing Date September 28, 2001  
First Named Inventor Monte J. Rhoads  
Examiner Name Du, Thuan N.  
Art Unit 2116  
Attorney Docket No. 42390P12320

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify):  
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

## FEE CALCULATION

### 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
15	28	0	\$0.00
Independent Claims	4	6	0
Multiple Dependent			

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description
	1202	50	2202	25		Claims in excess of 20
	1201	200	2201	100		Independent claims in excess of 3
	1203	360	2203	180		Multiple Dependent claim, if not paid
	1204	300	2204	150		**Reissue independent claims over original patent
	1205	300	2205	150		**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1) (\$ ) 0.00

\*or number previously paid, if greater. For Reissues, see below

### 2. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130	2051	65		Surcharge - late filing fee or oath	
	1052	50	2052	26		Surcharge - late provisional filing fee or cover sheet	
	2053	130	2053	130		Non-English specification	
	1251	120	2251	60		Extension for reply within first month	
	1252	450	2252	225		Extension for reply within second month	
	1253	1,020	2253	510		Extension for reply within third month	
	1254	1,800	2254	765		Extension for reply within fourth month	
	1255	2,160	2255	1,080		Extension for reply within fifth month	
	1401	500	2401	250		Notice of Appeal	
	1402	500	2402	250		Filing a brief in support of an appeal	
	1403	1,000	2403	500		Request for oral hearing	
	1451	1,510	2451	1,510		Petition to institute a public use proceeding	
	1460	130	2460	130		Petitions to the Commissioner	
	1807	50	1807	50		Processing fee under 37 CFR 1.17(g)	
	1808	180	1808	180		Submission of Information Disclosure Stmt	
	1809	790	1809	395		Filing a submission after final rejection (37 CFR § 1.128(a))	
	1810	790	2810	395		For each additional invention to be examined (37 CFR § 1.128(b))	
Other fee (specify)							
SUBTOTAL (2)							(\$ )

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Brent E. Vecchia Registration No. 48,011 Telephone (303) 740-1980  
Signature [Signature] Date 7-21-05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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## Complete if Known

Application Number 09/967,032  
Filing Date September 28, 2001  
First Named Inventor Monte J. Rhoads  
Examiner Name Du, Thuan N.  
Art Unit 2116  
Attorney Docket No. 42390P12320

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☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

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☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

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15	28*	0	\$0.00
4	6*	0	\$0.00
Multiple Dependent			

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description
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	1201	200		2201	100	Independent claims in excess of 3
	1203	360		2203	180	Multiple Dependent claim, if not paid
	1204	300		2204	150	**Retissue independent claims over original patent
	1206	300		2205	150	**Retissue claims in excess of 20 and over original patent

SUBTOTAL (1) (\$) 0.00

\*or number previously paid, if greater. For Retissues, see below

### 2. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
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	1052	50		2052	25	Surcharge - late provisional filing fee or cover sheet	
	2053	130		2053	130	Non-English specification	
	1251	120		2251	60	Extension for reply within first month	
	1252	450		2252	225	Extension for reply within second month	
	1253	1,020		2253	510	Extension for reply within third month	
	1254	1,590		2254	795	Extension for reply within fourth month	
	1255	2,160		2255	1,080	Extension for reply within fifth month	
	1401	500		2401	250	Notice of Appeal	
	1402	500		2402	250	Filing a brief in support of an appeal	
	1403	1,000		2403	500	Request for oral hearing	
	1451	1,510		2451	1,510	Petition to institute a public use proceeding	
	1460	130		2460	130	Petitions to the Commissioner	
	1807	50		1807	50	Processing fee under 37 CFR 1.17(a)	
	1806	180		1806	180	Submission of Information Disclosure Stmt	
	1809	790		1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	790		2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)							
SUBTOTAL (2)							

## SUBMITTED BY

Name (Print/Type) Brent E. Vecchia Registration No. 48,011 Telephone (303) 740-1980  
Signature *Brent E. Vecchia* Date 7-21-05

Complete (if applicable)

Based on PTO/SB/17 (12-04), as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 12/15/2004.  
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JUL 21 2005

Our Docket No: 42P12320

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Monte J. Rhoads

Serial No: 09/967,032

Filed: September 28, 2001

For: Power Management System  
To Select A Power State For  
A Network Computer System  
Based on Load

Examiner: Du, Thuan N.

Art Unit: 2116

PRELIMINARY AMENDMENTMail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examining the above-identified patent application, please enter the following amendments and consider the following remarks.

CERTIFICATE OF FACSIMILE

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July 21, 2005

Date of Deposit

Krista Mathieson

Name of Person Mailing Correspondence

Signature

Date

Docket No. 42P12320  
Application No. 09/967,032

1